

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

SCOTT A. STORY,
Plaintiff,

vs.

COMMISSIONER OF SOCIAL SECURITY,
Defendant.

Case Number: 1:17-cv-269

Barrett, J.
Litkovitz, M.J.

**REPORT AND
RECOMMENDATION**

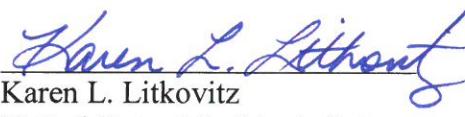
This matter is before the Court on the parties' joint motion to remand this case for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). (Doc. 14). The parties move the Court to enter a judgment reversing the decision of the Commissioner of Social Security (Commissioner) under sentence four of § 405(g) and remanding the matter to the Commissioner for further administrative proceedings. The parties agree to the following administrative proceedings upon remand:

[T]he Appeals Council will vacate all findings in the Administrative Law Judge's decision. The Commissioner will conduct further proceedings, offer plaintiff a supplemental hearing and develop the administrative record as necessary to determine whether [p]laintiff is disabled with the meaning of the Social Security Act, and then issue a new decision.

(*Id.* at 1).

It is **RECOMMENDED** that the parties' joint motion to remand this case (Doc. 14) be **GRANTED**. As required by Fed. R. Civ. P. 58, a separate judgment should be entered in favor of plaintiff reversing the Commissioner's decision and remanding this matter to the Commissioner for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

Date: 12/1/17


Karen L. Litkovitz
United States Magistrate Judge

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NOTICE TO THE PARTIES REGARDING THE FILING OF OBJECTIONS TO R&R

Pursuant to Fed. R. Civ. P. 72(b), **WITHIN 14 DAYS** after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations. This period may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation is based in whole or in part upon matters occurring on the record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon, or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections **WITHIN 14 DAYS** after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).